

REMARKS

Claims 2, 4-10, 12, 15-19, and 23-29 are pending in the Application.

In part 1 of the Office Action, the Examiner rejected claims 2-10, 13, 14, 16-19, 21, and 22 under 35 U.S.C. § 112, second paragraph. In parts 2-7, the Examiner rejected claims 1-20 under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,727,153 to Powell in view of U.S. Patent No. 6,249,869 to Drupsteen et al.

Applicant has cancelled claims 1, 3, 11, 13, 14, and 20-22, amended claims 2, 4, 5, 12, 15, 16, 18, and 19, and added claims 23-29.

Applicant submits that the pending claims are nonobvious in view of the art of record, and otherwise comply with the statutes and regulations.

Support (not limitation) claim 23's recitation of "a respective display unit adjacent to the plurality of units and supported by a shelf that is in vertical alignment. . . ." may be found, for example, in shelf unit 115 described at page 10, line 20.

Support (not limitation) claim 23's recitation of "displaying an amount for the respective product, the amount varying depending on the detecting step, the amount corresponding to one of a plurality of non-zero prices" may be found, for example, in Figs. 18 and 19 and table 347 described at page 22, line 11 - page 23, line 14.

Support (not limitation) claim 24's recitation of "displaying . . . a message corresponding to an additional quantity of purchase required for the customer to receive a discount." may be found, for example, page 15, lines 4-8.

Powell discloses a system for creating, dispensing, and redeeming electronic discount coupons in a store. The system includes a "smart card", product stations adjacent to selected products in the store, and a checkout station in the checkout area. To create an electronic coupon, the customer inserts the card into the product station adjacent to an product the customer wishes to purchase, and the product station then writes an electronic coupon onto the card. The customer thus shops throughout the store collecting electronic coupons for products of interest. Upon completion of shopping, the customer redeems the electronic coupons at the checkout area, by inserting the card into the checkout station. During checkout, when UPC data matches data stored on the card, the customer is

credited with the value of the corresponding coupon. (Powell Abstract).

"FIG. 5 shows product station 115, including green light 4155, red light 4160, and interface slot 4170. Station 115 also has an optional liquid crystal display (LCD) for displaying product promotional messages." (Powell col. 7, lines 58-61).

Drupsteen et al. disclose an integrated circuit card, secure application module, system comprising a secure application module and a terminal and a method for controlling service actions to be carried out by the secure application module on the integrated circuit card. "A local shopping centre (service provider) decides to begin a regional loyalty scheme for the frequent visitors (card holders) of the centre. The wish of the centre is that all retailers (service acceptants) which are participating in the loyalty scheme must be able to safely store points (service 1) on the integrated circuit card 1. Most of the retailers are already accepting the integrated circuit card 1 for the payment of small amounts, i.e., the integrated circuit card 1 already serves an electronic purse application. The idea is that if the customer (card holder) has collected 100 of these issued points he can exchange them for a loyalty coupon (service 2) at a specific loyalty terminal 2 on a specific location in the centre. Then this coupon can only be exchanged for a specific product at the shop of a specific retailer." (Drupsteen et al. col. 9, line 63-col. 10, line 10).

In contrast, each of claims 23, 2, 4-10, 12, and 15-19 recites a method performed by a display unit in one of the first areas, of detecting a purchase by a customer; and displaying an amount for the respective product, the amount varying depending on the detecting step, the amount corresponding to one of a plurality of non-zero prices to be paid for the respective product. No reasonable combination of the art of record would have suggested this combination including this displaying step interrelated with the recited shelf. (Base claim 23).

First, it would not have been obvious to combine Drupsteen with the location of Powell's product promotion display in the manner stated by the Examiner, because Drupsteen does not suggest a purpose of product promotion. Thus, for this reason alone, there can be no proper rejection under § 103.

Second, even if the combination of Drupsteen and Powell were permissible under § 103, the resulting combination still would not suggest Applicant's invention recited in

claim 23, including the recited displaying a varying amount. In other words, even if the combination of Drupsteen and Powell were permissible under § 103, a rejection under § 103 would not be permissible because § 103 requires that "the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP 706.02 (j) (emphasis added). Thus, for this second reason alone, there can be no proper rejection under § 103 of claim 23.

Third, even if the combination of Drupsteen and Powell were permissible under § 103, the resulting combination would not have the effect, on the customer, of displaying the varying amount at the product shelf, as recited in claim 23.

Claims 25 and 26 are patentable because they recite a system comprising a plurality of processing units, each processing unit including a detector having circuitry that detects a purchase by a customer; and a display having circuitry that displays an amount for the respective product, the amount varying depending on a signal from the detector, the amount corresponding to one of a plurality of non-zero prices to be paid for the respective product. (Base claim 25).

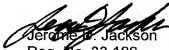
Claims 27 and 29 are patentable because they recite a system comprising a plurality of processing units, each processing unit including means for detecting a purchase by a customer; and means for displaying an amount for the respective product, the amount varying depending on the detecting step, the amount corresponding to one of a plurality of non-zero prices to be paid for the respective product. (Base claim 27).

If the Examiner has any questions about this amendment, applicant's representative would appreciate discussing this amendment with the Examiner. Applicant's representative, Jerome Jackson, can be reached at 703-684-4840.

Respectfully submitted,

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